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LIAOSHENG ZHANG
12334 31st AVE. NE, #306
Seattle, WA 98125
Phone: 206-364-1348

07-CV-01794-CMP

UNITED STATES DISTRICT COURT
FOR THE WEST DISTRICT OF WASHINGTON

Liaosheng Zhang,
Plaintiff,
Vs.
Boeing Company,
Amazon Global Resources, Inc.,
Microsoft Corporation,
Defendants.
-----)

CASE No. 07-1794 RAJ
COMPLAINT
WITH JURY DEMAND

COMES NOW the plaintiff, Liaosheng Zhang, and alleges as follows for her complaint:

I. NATURE OF ACTION

1.1 This is a civil action based on 42 U.S.C. § §2000e et seq. ("Title VII") and the Age Discrimination in Employment Act ("ADEA") seeking a remedy for discrimination on the basis of race, national origin, gender, disability and age which occurred during Plaintiff's employment with defendant in Phoenix, Arizona.

II. JURISDICTION AND VENUE

2.1 This court has jurisdiction over the federal claims under 28 U.S.C. § 1331.

2.2 This court has jurisdiction over the ancillary state claims under 28 U.S.C. § 1367.

2.3 Venue is proper under 28 U.S.C. § 1391(b) and Local Civil Rule 5(e).

III. PARTIES

3.1 Liaosheng Zhang ("Plaintiff") is a U.S worker and a job applicant of Defendants Boeing Company, Amazon Global Resources, Inc., and Microsoft Corporation.

3.2 Boeing Company has many names and addresses in many states:

a) World Headquarters

Boeing Corporate Offices 100 North Riverside

Chicago, Illinois 60606

312-544-2000

b) Washington state Registered Agent:

CORPORATION SERVICE COMPANY

6500 HARBOUR HEIGHTS PKWY, STE 400

MUKILTEO, WA 98275

c) One of Washington Locations:

P. O. Box 3707

Seattle, Washington 98124

206-655-2121

d) Other states

3.5 Amazon Global Resources, Inc. address is 1200 12th Avenue South, Suite 1200, Seattle, WA 98144. Registered Agent address is C T CORPORATION SYSTEM, 1801 WEST BAY DR NW STE 206, OLYMPIA, WA 98502

1 3.6 Microsoft Corporation address is One Microsoft Way, Redmond, WA 98052.
2 Registered Agent address is PTSGE CORP, 925 FOURTH AVENUE STE
3 2900, SEATTLE, WA 98104-1158
4

5 **IV. STATEMENT OF FACTS**

6 **4.1 Boeing Company:**

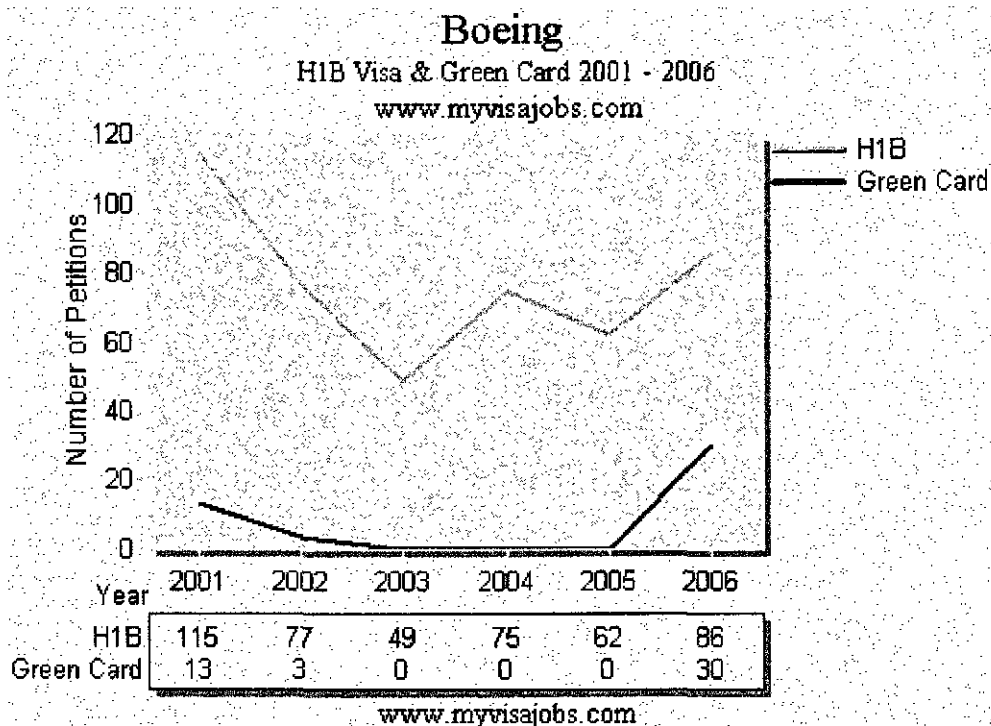
7 4.1.1 I am a US worker as defined by §655.715 of chapter V of Title 20 of ETA. I
8 applied to over 300 Boeing jobs and their contract jobs. My resume is on their
9 database, but I never get hired.

10 4.1.2 I had a few interviews. I answered questions so well during the first round
11 interview. They said that I will go to second round. I called them 2 times after that.
12 But they never call me for second round interview.

13 4.1.3 I mailed to them the Employer Research Form (from WorkSource) and my
14 resume. I asked them to fill it out around 8/16/06, but they never did.

15 I do not lack any skills for a software engineer or any IT positions. I continued to
16 apply to their jobs, but I never hear anything from them. I have a master's degree
17 in computer engineering from Arizona State University and 7 years work
18 experience in the computer field. But Boeing refuses to hire me.

19 4.1.4 Boeing hired 62 H1B foreign workers during 2005. Boeing hired some
20 workers with optional practice training card during 2005. They are not U.S.
21 workers. Boeing hires them because they are much younger and therefore have
22 less medical liabilities to the company.



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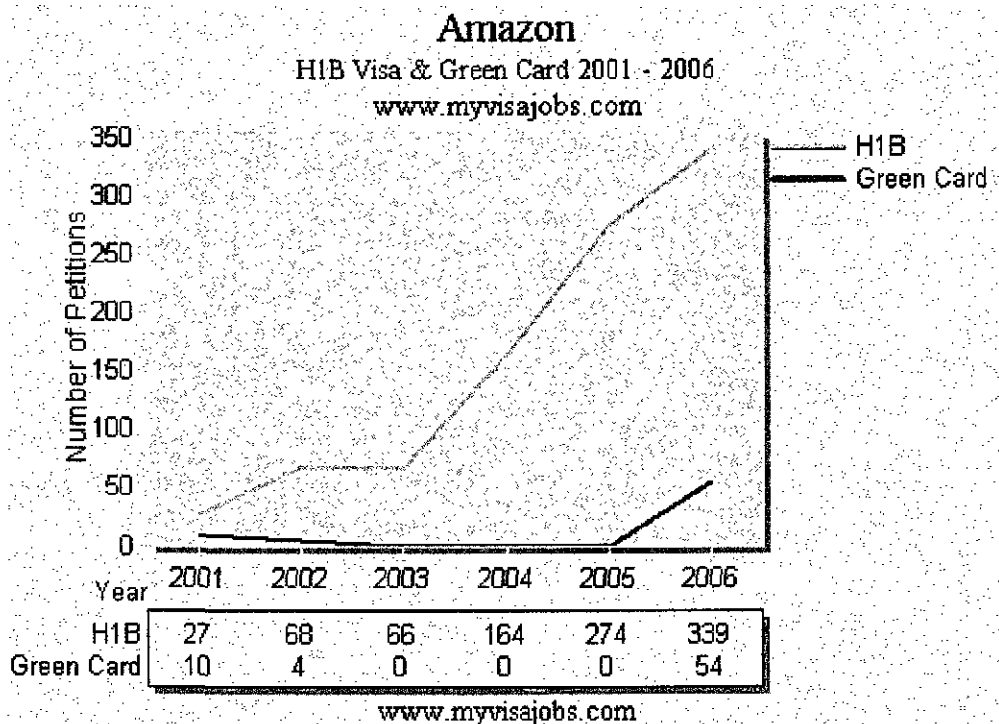
- 4.1.5 Boeing hired about 66 H1B foreign workers during 2006. Boeing sponsored 30 green cards during 2006. Boeing hired some workers with optional practice training card during 2006. They are not U.S. workers. Boeing hires them because they are much younger and therefore have less medical liabilities to the company.
- 4.1.6 Boeing hired many H1B holders during 2007 too.
- 4.1.7 Boeing hired many contract workers who are not U.S workers from 2005 to 2007.
- 4.1.8 Boeing retaliated or discriminated against a job applicant for disclosing information, filing a complaint, or cooperating in an investigation
- 4.1.9 Boeing failed to recruit U.S. worker(s) for jobs for which H-1B worker(s) are sought.
- 4.1.10 Boeing failed to hire a U.S. worker who applied and was equally or better qualified for the job for which the H-1B worker was sought.

4.2 Amazon Global Resources Inc. :

4.2.1 I am a US worker as defined by §655.715 of chapter V of Title 20 of ETA. I applied to over 386 Amazon jobs among thousands of jobs. My resume is on their database, but I never get hired or interviewed.

4.2.2 I have a master's degree in computer engineering from Arizona State University and 7 years work experience in the computer field, but Amazon refuses to hire me.

4.2.3 Amazon hired 274 H1B foreign workers during 2005. Amazon hires them because they are much younger and therefore have less medical liabilities to the company.



4.2.4 Amazon hired about 339 H1B foreign workers during 2006. Amazon sponsored 54 green cards during 2006: 34 are software engineers, 2 are in the computer field. Amazon hires them because they are much younger and therefore have less medical liabilities to the company.

1 4.2.5 Amazon hired many H1B holders during 2007 too. Amazon hires them
2 because they are much younger and therefore have less medical liabilities
3 to the company.

4 4.2.6 Amazon retaliated or discriminated against a job applicant for disclosing
5 information, filing a complaint, or cooperating in an investigation.

6 4.2.7 Amazon failed to recruit U.S. worker(s) for jobs for which H-1B worker(s)
7 are sought.

8 4.2.8 Amazon failed to hire a U.S. worker who applied and was equally or better
9 qualified for the job for which the H-1B worker was sought

10 **4.3 Microsoft Corporation:**

11 4.3.1 I am a US worker as defined by §655.715 of chapter V of Title 20 of
12 Employment and Training Administration (ETA).

13 4.3.2 I applied to over 100 Microsoft jobs and their contract jobs among 10,000.
14 My resume is on their database, but I never get hired.

15 4.3.3 I mailed to them the Employer Research Form (from WorkSource) and my
16 resume. I asked them to fill it out around 8/16/06, but they never did.
17 Instead, they sent a letter to me saying that they don't take job applications
18 by mail and asked me to apply to their jobs on their website again. So I do
19 not lack any skills for a software engineer position.

20 4.3.4 I continue to apply to their jobs, but I never hear anything from them. In fact,
21 I am on their block list because I have a pending lawsuit against a previous
22 employer on my background check, and because I am a US worker, and an
23 elder woman.

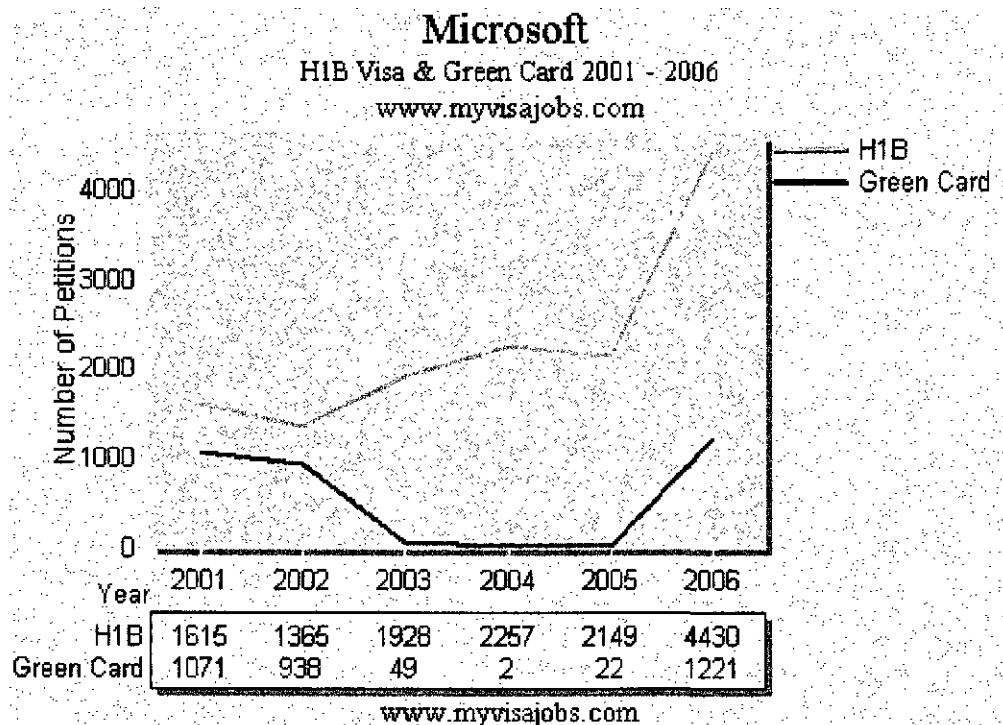
24 4.3.5 I went to the Microsoft campus a few times. They have about 1/3 foreign
25 workers. Their worker age groups are not reflective of the work force age
26 range. Most of them are under 35. Since older workers have more medical
27 bills, they dislike hiring that age group.

28 4.3.6 I saw on the news around 3/10/07 that Bill Gates appealed to the US
29 congress to issue more H1B visas to bring foreign workers to this country

1 because we have a shortage for software engineers. That is not true. I have
 2 a masters degree in computer engineering from Arizona State University
 3 and 7 years experience in the computer field. But Microsoft refuses to hire
 4 me.

5 4.3.7 I sent my response to Gates' appeal to the US Senate around 3/25/07.

6 4.3.8 Microsoft hired 2149 H1B foreign workers during 2005 in Washington State
 7 and another 4430 H1B foreign workers during 2006 in Washington State
 8 according to the Department of Labor record. Microsoft hires them because
 9 they are much younger and therefore have less medical liabilities to the
 10 company.
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 14 4.3.9 Microsoft uses few employment services (Excel, Volt, and others) to get
 15 many contract engineers. Microsoft has a strong policy against contract
 16 work period, maximum one year. After one year, a contractor has to take at
 17 last a 3 month break before getting another Microsoft contract job. Many

1 contract software engineers are US workers, but Microsoft forced them to
2 leave their jobs and hired other H1B holders.

3 4.3.10 Microsoft retaliated or discriminated against a job applicant for disclosing
4 information, filing a complaint, or cooperating in an investigation.

5 4.3.11 Microsoft failed to recruit U.S. worker(s) for jobs for which H-1B worker(s)
6 are sought.

7 4.3.12 Microsoft failed to hire a U.S. worker who applied and was equally or better
8 qualified for the job for which the H-1B worker was sought.

9
10 **V. FIRST CLAIM FOR RELIEF DISCRIMINATION UNDER TITLE VII AND ADEA**

11 5.1 Plaintiff restates paragraph 1 through 4.5 of this complaint as if fully alleged
12 herein.

13 5.2 At all relevant times, Defendant was a covered entity within the meaning of
14 42 U.S.C. § 12111(2).

15 5.3 Plaintiff has satisfied all of the procedural and administrative requirements
16 set forth in Section 706 of Title VII, 42 U.S.C. § 2000e-5 and ADEA, as follows:

17 a. Plaintiff filed a timely written charge of discrimination with the Equal
18 Employment Opportunity Commission;

19 b. Plaintiff received a "Notice of Right to Sue" from the Equal Employment
20 Opportunity Commission on or about August 13, 2007;

21 c. The Plaintiff's complaint was filed with this court within 90 days of Plaintiff's
22 receipt of the Notice of Right to Sue.

23 5.4 Defendant engaged in intentional discrimination because of Plaintiff's
24 gender, race, national origin, disability and age, and because of her opposition to
25 Defendant's unlawful employment practices.

26 5.5 Defendants refused to hire Plaintiff action have caused Plaintiff to suffer
27 emotional damages, lost wages, benefits, employment opportunities, and to incur
28 expenses, including attorney fees.

VI. DAMAGES

- 6.1 Plaintiff restates paragraph 1 through 5.5 of this complaint as if fully alleged herein.
- 6.2 As a result of Defendant's conduct, Plaintiff has suffered and will continue to suffer: loss of wages and benefits; emotional pain and distress; and other consequential damages of financial loss.
- 6.3 As a result of Defendant's conduct, Plaintiff has had to retain the services of an attorney and will incur expenses, including attorney fees.

VII. JURY DEMAND

- 7.1 Plaintiff hereby demands a jury trial.

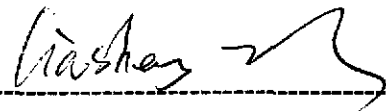
VIII. PRAYER FOR RELIEF

WHEREFORE, Plaintiff prays that this court:

- 8.1 Declare that the actions of the Defendant as alleged in this complaint were discriminatory and retaliatory and order defendant to cease such actions as to Defendant's current employees.
- 8.2 Order Defendant to institute and maintain a reasonable procedure to investigate and remedy complaints of unlawful discrimination in a timely manner.
- 8.3 Enter judgment for the Plaintiff awarding her all lost pay and benefits, awarding her damages for emotional suffering in the amount determined by the jury.
- 8.4 Enter judgment for Plaintiff awarding her punitive damages in an amount determined by the jury pursuant to 42 U.S.C. § 1981a.
- 8.5 Award Plaintiff costs and attorney fees pursuant to 42 U.S.C. § 2000e-5(k) and ADEA.
- 8.6 Grant such additional relief as is proper and just.
- 8.7 Conform the pleadings to the proof at trial.

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DATED this 5 day of November 2007.

A handwritten signature in black ink, appearing to read 'Liaosheng', followed by a stylized flourish or checkmark.

Liaosheng Zhang
Pro Se Plaintiff

EEOC Form 161 (3/98)

U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

DISMISSAL AND NOTICE OF RIGHTS

To: **Liaosheng Zhang**
12334 31st Ave Ne #306
Seattle, WA 98125

From: **Seattle Field Office**
909 First Avenue
Suite 400
Seattle, WA 98104



On behalf of person(s) aggrieved whose identity is
 CONFIDENTIAL (29 CFR §1601.7(a))

EEOC Charge No.

EEOC Representative

Telephone No.

551-2007-01729

William S. Benedict,
Investigator

(206) 220-6918

THE EEOC IS CLOSING ITS FILE ON THIS CHARGE FOR THE FOLLOWING REASON:



The facts alleged in the charge fail to state a claim under any of the statutes enforced by the EEOC.



Your allegations did not involve a disability as defined by the Americans With Disabilities Act.



The Respondent employs less than the required number of employees or is not otherwise covered by the statutes.



Your charge was not timely filed with EEOC; in other words, you waited too long after the date(s) of the alleged discrimination to file your charge.



Having been given 30 days in which to respond, you failed to provide information, failed to appear or be available for interviews/conferences, or otherwise failed to cooperate to the extent that it was not possible to resolve your charge.



While reasonable efforts were made to locate you, we were not able to do so.



You were given 30 days to accept a reasonable settlement offer that affords full relief for the harm you alleged.



The EEOC issues the following determination: Based upon its investigation, the EEOC is unable to conclude that the information obtained establishes violations of the statutes. This does not certify that the respondent is in compliance with the statutes. No finding is made as to any other issues that might be construed as having been raised by this charge.



The EEOC has adopted the findings of the state or local fair employment practices agency that investigated this charge.



Other (briefly state)

- NOTICE OF SUIT RIGHTS -

(See the additional information attached to this form.)

Title VII, the Americans with Disabilities Act, and/or the Age Discrimination in Employment Act: This will be the only notice of dismissal and of your right to sue that we will send you. You may file a lawsuit against the respondent(s) under federal law based on this charge in federal or state court. Your lawsuit **must be filed WITHIN 90 DAYS of your receipt of this notice**; or your right to sue based on this charge will be lost. (The time limit for filing suit based on a state claim may be different.)

Equal Pay Act (EPA): EPA suits must be filed in federal or state court within 2 years (3 years for willful violations) of the alleged EPA underpayment. This means that **backpay due for any violations that occurred more than 2 years (3 years) before you file suit may not be collectible.**

On behalf of the Commission

A. Luis Lucero, Jr.,
Director

AUG 08 2007

(Date Mailed)

Enclosures(s)

cc: **THE BOEING COMPANY**
Attn: Ms. Teri Binford
P.O. Box 3707 M/C 61-15
Seattle, WA 98124-2207